

REMARKS

Claims 1 and 3-23, as amended, are pending for the Examiner's review and consideration. The Advisory Action states that new issues and new matter are raised and the Declaration under 37 C.F.R. § 1.132 has not been entered. Since an RCE has been filed herewith, Applicants believe it would be moot to address the alleged new issues even though Applicants disagree with the reasoning set forth in the Advisory Action. Applicants appreciate withdrawal of the rejection against claim 11 under 35 U.S.C. § 112, first paragraph, as noted in the Advisory Action on the page 2 continuation of Section 10.

Claim 10 was amended to add under ambient condition language, however, the Patent Office now alleges this is new matter on page 2 of the Advisory Action. This language was previously discussed with respect to claim 22, *e.g.*, in the Amendment filed July 31, 2003 at page 9, final paragraph to and including page 10. Applicants further add that those of ordinary skill in the art typically understand that claimed or disclosed process steps occur under ambient conditions when no specific, different conditions are specified. If the Patent Office believes that the term "under ambient temperature" is more appropriate, Applicants agree to make such an amendment. Once the Patent Office properly considers the Declaration of P. Couzens in connection with the above-noted comments in the Amendment submitted July 31, 2003, Applicants respectfully submit that this rejection under 35 U.S.C. § 112, first paragraph, against claims 10 and 22 should be overcome.

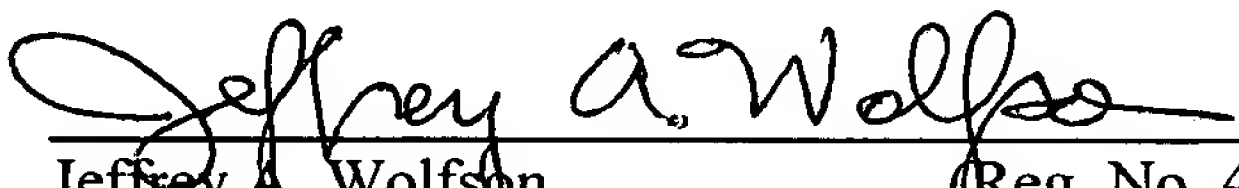
The rejections of claims 22-23 under 35 U.S.C. § 112, first paragraph, and under 35 U.S.C. § 103(a) are maintained in the Advisory Action. This is, of course, because the Patent Office has not properly considered the comments submitted in the July 31, 2003 Amendment and the accompanying Couzens Declaration Under 37 C.F.R. § 1.132 submitted therewith. The Declaration was necessitated by the rejections still present in the final Office Action and in view of the in-person Interview of April 4, 2003 at which the Examiner's intent was clarified. Once the July 31 Amendment and accompanying Declaration are properly entered and considered, Applicants respectfully submit that the remaining rejections will be overcome in whole or in part.

Accordingly, the entire application is now in condition for allowance, early notice of which would be appreciated. Should the Examiner not agree with the Applicants' position, then a personal or telephonic interview is respectfully requested to discuss any remaining issues and expedite the eventual allowance of the application.

Respectfully submitted,

9/22/03

Date



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